

REMARKS

The Examiner's Office Action mailed March 4, 2009, which rejected all pending claims, has been reviewed. Reconsideration in view of the foregoing amendments and remarks is respectfully requested. Moreover, Applicants have reviewed the Office Action of March 4, 2009, and submit that the above Amendments and the following Remarks are responsive to all points raised therein. Applicants believe that currently pending claims 1-7 are now in form for allowance.

Status of Claims

Claims 1-7 are pending in the application. Claim 1 has been amended to incorporate the restrictions of claim 2. New claims 6 and 7 have been added. Support for claims 6 and 7 can be found for example in original claims 4 and 5 and the Examples in the specification. No new matter has been added.

Election of Species

A provisional election of a single species of 8-cyanoquinolone antibiotics was requested by the Examiner prior to examination on the merits. Applicants hereby elect the 8-cyanoquinolone antibiotic, pradofloxacin. The claims that encompass the elected species are claims 3, 6 and 7.

Applicants reserve the right to file divisional applications directed to the subject matter of the non-elected claims.

Conclusion

The Commissioner is hereby authorized to charge any fee deficiency or credit any overpayment in connection with this amendment to Deposit Account No. 50-4260.

Respectfully submitted,
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